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MIAMI-DADE COUNTY  
COMMISSION ON ETHICS & PUBLIC TRUST

In re: Francisco Trujillo

Complaint No. 07-16

**PUBLIC REPORT AND ORDER DISMISSING COMPLAINT**

Juan Pintado filed the above-captioned complaint against Francisco Trujillo ("Respondent") for alleged violation of Section 2-11.1(g) (misuse of official position). The complaint alleged the Respondent used his county-issued cellular telephone to make personal calls. The complaint also alleged the Respondent violated Section 2-11.1(i) by failing to disclose the clients of his outside consulting business on his annual financial disclosure form.

The Respondent is Assistant Director of Planning and Development for the Miami-Dade Housing Agency. The Respondent has a county-issued cellular telephone. The complainant requested the Respondent's phone records from December 2006 to July 2007. According to Count 1 of the complaint, the Respondent made hundreds of calls per month

and the unauthorized percentage ranged from 38% to 56% of the calls.<sup>1</sup>

The Respondent is engaged in an outside consulting business where he prepares plans for residential renovations. As an assistant department director, the Respondent is required to file financial disclosure. In 2006, the Respondent filed a Source of Income form where he stated he worked for Construction Masters, Inc. However, in 2004, the Respondent listed each individual client on his outside employment disclosure form. Count 2 of the complaint alleged the Respondent is required to disclose individual clients on his financial disclosure form.

Upon review of the complaint and being otherwise advised in the premises, the Ethics Commission determined that Count 1 was legally insufficient because it concerned a personnel matter outside of the Ethics Commission's jurisdiction. The Ethics Commission also found that Count 2 was legally insufficient because the Source of Income statement does not require a listing of individual clients. Therefore, it is:


**ORDERED AND ADJUDGED** that the complaint is hereby **DISMISSED** for legal insufficiency.

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<sup>1</sup> The Complainant considered any call that was made or received on weekends, on County holidays, on vacation time, after 5 p.m. or long-distance as unauthorized .

**DONE AND ORDERED** by the Commission on Ethics and Public Trust in public session on August 16, 2007.

**MIAMI-DADE COUNTY COMMISSION  
ON ETHICS AND PUBLIC TRUST**

By:   
Kerry Rosenthal  
Chairperson

cc: Francisco Trujillo  
Juan Pintado